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October 23, 2003

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S. W. – Room TWB-204
Washington, D. C. 20554

Re: *Ex parte*, CC Docket No. 96-149, Verizon Petition for Forbearance from
the Prohibition of sharing Operating, Installation, and Maintenance
Functions Under Section 53.203(a)(2) of the Commission's Rules

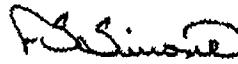
Dear Ms. Dortch:

On Wednesday, October 22, 2003, Robert Quinn and the undersigned, representing AT&T, met with Matthew Brill, Legal Advisor to Commissioner Kathleen Abernathy and Brendan Carr, a legal intern working in Commissioner Abernathy's office. The purpose of the meeting was to review AT&T's position in the above-captioned proceeding.

As explained in the attached written *ex parte* submissions, we argued Verizon's request asks the Commission to take action that Section 10(d) of the Communications Act forbids and that Section 10(d) of the Communications Act also forbids the Commission from forbearing from the requirements of section 251(c) and section 271 until the Commission "determines that those requirements have been fully implemented." In the latter instance, this plain statutory language means that the Commission cannot simply permit Verizon's petition to be "deemed" granted by the Commission under section 10(c) by failing to act on it in the time period specified by section 10(c). Section 10(d) is an express "limitation" on the scope of section 10, and unambiguously requires that the Commission "*determine*" that the "requirements" of section 251(c) and section 271 have *in fact* "been fully implemented" before forbearance from a requirement of those provisions be granted, whether expressly granted by Commission action under section 10(a) or "deemed" granted by Commission's inaction under section 10(c).

Consistent with Section 1.1206 of the Commission's rules, I am filing one electronic copy of this notice and request that you place it in the record of the above-captioned proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Simard", written in a cursive style.

ATTACHMENTS

cc: M. Brill
B. Carr